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OFFICE OF PETITIONS

In re Patent No. 6,554,726
Issue Date: April 29, 2003
Application No. 09/771,822
Filed: January 29, 2001
Attorney Docket No. 33117.2

ON PETITION

This is a decision in response to a petition filed September 28, 2010, under 37 CFR 1.378(c), to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

A petition under 37 CFR 1.378(c) must be filed within twenty-four months after the six month grace period specified in 35 USC 41(b). The patent issued on April 29, 2003. The six month grace period for the 3 ½ year maintenance fee expired at midnight on April 29, 2007. Accordingly, an unintentional petition to reinstate the instant patent must have been submitted no later than April 29, 2009. Since the original petition was filed on September 28, 2010, it was not timely filed and the instant patent will not be reinstated under the unintentional provisions of 37 CFR 1.378(c).

Patentee may wish to pursue reinstatement of the patent under the unavoidable provisions of 37 CFR 1.378(b). A petition to accept the delayed payment of a maintenance fee under 35 USC 41(c) and 37 CFR 1.378(b) must be accompanied by (1) an adequate, verified showing that the delay was unavoidable, since reasonable care was taken to insure that the maintenance fee would be paid timely and that the petition was filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent, (2) payment of the appropriate maintenance fee, unless previously submitted, and (3) payment of the surcharge set forth in 37 CFR 1.20(i)(1).

If petitioner does not wish to pursue reinstatement of this expired patent, petitioner may request a refund of the \$490 for the maintenance fee and \$1640 for the surcharge submitted with the petition. The request should be made in writing and addressed to: Mail Stop 16, Director of the U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450. A copy of this decision should accompany petitioner's request.

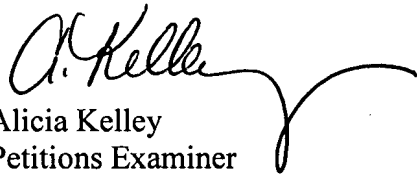
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
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By hand: Customer Window located at:
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By fax: (571) 273-8300
 ATTN: Office of Petitions

Any questions concerning this matter may be directed to the undersigned at (571) 272-6059.
Any questions directly concerning a petition under 37 CFR 1.378(b) may be directed to the
Office of Petitions Helpdesk at (571) 272-3282.

A handwritten signature in black ink, appearing to read 'A. Kelley', with a long, sweeping horizontal line extending to the right.

Alicia Kelley
Petitions Examiner
Office of Petitions